

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

MARCUS MIAL,	:	
Plaintiff	:	
v.	:	Case No.: 1:11-cv-921
JENNIFER SHERIN, et al.,	:	
Defendants.	:	

**JOINT MOTION TO VACATE JUDGMENT**

COME NOW the Plaintiff, Marcus Mial, by and through his counsel, Thomas K. Plofchan, Jr., Esq. and Whitney Lawrimore Hughes, Esq. and Westlake Legal Group; and Defendants, Jennifer Sherin, Nathan Ferguson, Brian Sayre, and Nicholas Altom (hereinafter referred to collectively as “Defendants”) by and through their counsel, Alexander Francuzenko, Esq., and the law firm of Cook Craig & Francuzenko, PLLC, and file this Joint Motion to Vacate the Judgment entered on March 31, 2015, and in support thereof state the following:

1. That after going through trial in this matter, having a Jury Verdict entered, having Plaintiff file a Petition for Attorney’s Fees, having Defendants file a post-trial motion, and settlement negotiations, including a Settlement Conference with the United States Magistrate Judge, the parties to this case have agreed to a settlement of any all claims related to this case.
2. In exchange for the settlement, Plaintiff has agreed to join in a Motion to Vacate the Judgment that was entered on March 31, 2015, Document No. 225, and agreed to an Order dismissing all claims with prejudice, as the case has been resolved.

3. As a result of the Settlement Agreement, the parties now jointly request that the Judgment be vacated and stricken from the record, and that an Order of Dismissal with Prejudice be entered.

WHEREAS, based on the foregoing, the parties respectfully request that this Honorable Court grant their joint motion, and enter the proposed Order vacating the March 31, 2015 Judgment, directing that the Clerk remove from the docket, Document Entry No. 225, and enter an Order dismissing with prejudice this case.

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
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